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EXHIBIT 4

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13 **UNITED STATES BANKRUPTCY COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

15 **In re:**

16 **PG&E CORPORATION**

17 **- and -**

18 **PACIFIC GAS AND ELECTRIC**
19 **COMPANY,**

Debtors.

)
) Bankruptcy Case
) No. 19-30088 (DM)

)
) Chapter 11

)
) (Lead Case)

)
) (Jointly Administered)

) **UNITED STATES' RESPONSE TO OFFICIAL**
) **COMMITTEE OF TORT CLAIMANTS' FIRST**
) **SET OF INTERROGATORIES**

- 21 ☐ Affects PG&E Corporation
22 ☐ Affects Pacific Gas and Electric Company
23 ☒ Affects both Debtors

24 *All papers shall be filed in the Lead Case,*
No. 19-30088 (DM).

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1 Subject to and without waiving this objection, in the interest of comity among the parties and
2 mutual interest in advancing the case, the United States volunteers the following as responses to
3 informal discovery requests of the TCC.

4 **GENERAL OBJECTIONS TO INTERROGATORIES**

5 1. By responding to these Interrogatories, the United States does not waive its right to object
6 to the use of the responses on any ground in this or any other proceeding. The answers provided below
7 are based on the information known to the Federal Emergency Management Agency ("FEMA") as of
8 the date of this Response, and the United States reserves the right to amend any answer as necessary if
9 additional information comes to light.

10 2. The United States objects to the Interrogatories to the extent they seek conclusions of law
11 rather than a statement of fact.

12 3. The United States objects to the Interrogatories to the extent they seek, or can be
13 construed as seeking, information protected by the attorney-client privilege, work product privilege,
14 deliberative process privilege, a right to privacy under applicable law, any joint defense, common
15 interest or party communications privilege, investigative privilege, or any other applicable privilege,
16 doctrine or right that would make the information immune from discovery. Any inadvertent production
17 of information protected by any of these privileges, doctrines, or rights shall not be deemed a waiver of
18 the protections that those privileges, doctrines, or rights afford.

19 4. The United States objects to the Interrogatories to the extent they seek to impose
20 obligations beyond those stated in the Federal Rules of Bankruptcy Procedure, the Federal Rules of Civil
21 Procedure, or the Local Rules for the District or Bankruptcy Courts for the Northern District of
22 California.

23 5. The United States objects to the Interrogatories to the extent they seek information that is
24 irrelevant, disproportionate to the needs of the case, or where the burden or expense of the propounded
25 discovery outweighs the likely benefit. *See* Fed. R. Civ. P. 26.

26 6. The United States objects to the Interrogatories to the extent that they seek confidential
27 business information belonging to contractors, third parties, or the regulated community or information
28 that, if publicly released, could compromise federal regulatory or enforcement activities. Any

1 inadvertent production of such confidential, proprietary commercial, trade secret, or sovereign
2 information is not intended as a waiver of the protection of any privilege or restriction upon
3 dissemination.

4 7. The United States objects to the Interrogatories as overly broad, oppressive, and unduly
5 burdensome to the extent that they would require the FEMA to compile, summarize, index, research, or
6 otherwise analyze voluminous historical information.

7 8. The United States objects to the Interrogatories as oppressive and unduly burdensome to
8 the extent that they seek to impose an obligation to respond without reasonable limitations as to date or
9 age.

10 9. The United States objects to these Interrogatories to the extent they seek information that
11 is publicly available, or that may be obtained from another source that is more convenient, less
12 burdensome, or less expensive, or that is solely in the possession, custody, or control of third-parties.

13 INTERROGATORIES

14 1. **Identify all evidence that FEMA had identified as of the Filing Date that indicates**
15 **the Debtor intentionally caused the Butte Fire.**

16 RESPONSE: The United States objects to the undefined term “intentionally caused” as vague
17 and ambiguous. To the extent that the TCC is using the term “intentionally caused” as the term
18 “intentionally causes” is used in Section 317 of the Stafford Act, 42 U.S.C. § 5160(a), the United States
19 further notes that the issue of the elements of a claim under Section 317 of the Stafford Act is currently
20 being addressed in the context of the Omnibus Objection of the Official Committee Of Tort Claimants
21 (Substantive) To No Liability Claims To The Department of Homeland Security/Federal Emergency
22 Management Agency (“TCC Claim Objection”). The United States will file its response to the TCC
23 Claim Objection at the appropriate time. Subject to and without waiving the foregoing specific
24 objections and General Objections, the United States avers as follows.

25 The evidence that United States relies upon is set forth in the Proof of Claim filed in this Court.
26 The United States further relies upon and incorporates by reference all publicly available reports and
27 information from the California Department of Forestry and Fire Protection (“Cal FIRE”) and California
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1 Public Utilities Commission (“CPUC”) concerning the Butte Fire, Camp Fire, 2017 Northern California
2 Wildfires, or any other wildfire at issue in FEMA’s Proof of Claims.

3 The United States also notes that the destruction caused by the Butte Fire affected thousands of
4 people and left hundreds of thousands of tons of debris in its wake. According to the Cal FIRE, the
5 Butte Fire destroyed 965 structures, burned a total of 70,868 acres, and resulted in deaths and injuries.
6 Cal FIRE investigators determined that electrical transmission lines owned and operated by Pacific Gas
7 and Electric Company (PG&E) caused the Butte Fire. *See* Cal FIRE News Release, CAL FIRE
8 Investigators Determine Cause of Destructive Butte Fire (April 28, 2016). Cal FIRE forwarded their
9 investigative report to the County District Attorney for potential prosecution. *Id.* The Butte Fire is one
10 of several major fires that Cal FIRE has linked to PG&E equipment in the last four years. FEMA
11 maintains that these wildfires were a result of safety issues and intentional omissions or violations of law
12 by PG&E.

13 In the years prior to Cal FIRE’s findings in these wildfires, the CPUC documented continuous
14 safety errors and omissions by PG&E. On May 6, 2013, the CPUC Safety Enforcement Division
15 received a report of the capital, operations, and maintenance expenditures proposed by PG&E, and
16 found that PG&E’s distribution system had “significant safety issues.”¹ Additionally, the report detailed
17 that PG&E failed to effectively cure critical safety problems and manage risk appropriately. *Id.* at S-6
18 and S-10 (The report found that although “PG&E made substantial progress in developing . . . risk
19 assessment processes,” “actual follow through at the lines of business has lagged.” Additionally the
20 report details the omissions of critical safety functions in several areas, including that, “[t]here remain
21 corporate cultural barriers that slow the process. . . [PG&E] will need to fully embrace to structure risk
22 management as an integrated part of planning and budgeting,” and that “PG&E needs to recognize that
23 the effective implementation of the program requires an inducement of culture change in how the
24 company assesses and uses risk considerations and a sense of greater urgency in moving toward its
25 expected steady state.” In 2014, an audit of PG&E’s North Valley Division revealed significant safety
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28 ¹ *Study of Risk Assessment and PG&E’s GRC*, May 6, 2013, available at
<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M065/K394/65394210.PDF>.

1 violations, including 3,400 repairs completed past the required date between 2009 and 2014.² Then, in
2 2017, the CPUC's draft "Order Instituting Investigation into the Creation of a Shared Database or
3 Statewide Census of Utility Poles and Conduit" found that the poorly maintained poles and attachments
4 used by PG&E caused substantial property damage and repeated loss of life in California.³ FEMA
5 contends that the Cal FIRE findings, along with the findings by the CPUC, show that PG&E was on
6 notice of these safety issues and continually failed to address them.

7 These identified safety issues should have commanded PG&E's attention. Curing them would
8 have required the company to allocate appropriate expenditures, but PG&E failed to allocate its
9 resources to complete these necessary, and life threatening issues. Instead, PG&E prioritized "large
10 contributions to political candidates" over "replacing or repairing the aging transmission lines . . . and
11 removing or trimming the backlog of hazard trees, and increasing vegetation management." *United*
12 *States v. Pacific Gas and Electric Co.*, Case No. CR 14-00175, "Request for Offender PG&E to Supply
13 Information" (July 10, 2019). In addition, in repeated instances over 25 years PG&E actively misled
14 regulators, withheld data, and hindered investigations, accumulating fines and judgments of \$2.5 billion.
15 *PG&E's Long Record of Run-Ins With Regulators: A 'Cat and Mouse Game'*, The Wall Street Journal
16 (September 5, 2019).

17 Section 317 of the Stafford Act states, "[a]ny person who intentionally causes a condition for
18 which Federal assistance is provided under this Act or under any other Federal law as a result of a
19 declaration of a major disaster or emergency under this Act shall be liable to the United States for the
20 reasonable costs incurred by the United States in responding to such disaster or emergency to the extent
21 that such costs are attributable to the intentional act *or omission* of such person which caused such
22 condition. Such action for reasonable costs shall be brought in an appropriate United States district
23 court." 42 U.S.C. 5160(a) (emphasis added).

24 As used in the statute, "intentionally" does not require a specific intent to cause harm. A party is
25 considered to have "intentionally cause[d]" a condition under Section 317 of the Stafford Act in so far as
26 the condition giving rise to FEMA's costs is attributable to an "intentional act or omission." The phrase

27 ² http://www.cpuc.ca.gov/UploadedFiles/CPUC_Public_Website/Content/Safety/EA2014-023.pdf.

28 ³ *Available* at <http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M190/K872/190872933.pdf>.

1 “intentional act or omission” FEMA considers the term “intentional” to modify both the term “acts,” and
2 the term “omissions.” FEMA bases its claim on the contention that PG&E’s “intentional acts” and/or
3 “omissions” created the condition for the extensive wildfire damage that ensued.

4 As related in the facts above, PG&E omitted to 1) conduct critically necessary repairs, 2) timely
5 respond to safety issues, 3) manage risk effectively and 4) adequately maintain poles and attachments.
6 Moreover, PG&E’s actions and omissions were intentional under Section 317 of the Stafford Act,
7 because PG&E actively and blatantly disregarded that such an omission was reasonably likely to cause a
8 condition for which FEMA assistance would be required. Specifically PG&E knew that failure take
9 action could cause or spread a wildfire causing serious and widespread injury, and still PG&E omitted to
10 act. Instead, PG&E chose to allocate huge sums of money to other causes, taking resources away from
11 acting on these omissions rather than fulfilling their duties. That PG&E’s omission was intentional is
12 further demonstrated through the affirmative acts it took to aid its omission – misleading regulators,
13 withholding critical data, and hindering investigations in the years leading up to the Butte Fire.

14 **2. Identify all evidence that FEMA had identified as of the Filing Date that indicates**
15 **the Debtor intentionally caused the Camp Fire.**

16 RESPONSE: The United States objects to the undefined term “intentionally caused” as vague
17 and ambiguous. To the extent that the TCC is using the term “intentionally caused” as the term
18 “intentionally causes” is used in Section 317 of the Stafford Act, 42 U.S.C. § 5160(a), the United States
19 further notes that the issue of the elements of a claim under Section 317 of the Stafford Act is currently
20 being addressed in the context of the TCC Claim Objection. The United States will file its response at
21 the appropriate time. Subject to and without waiving the foregoing specific objections and General
22 Objections, the United States incorporates by reference its response to Interrogatory Number 1, and
23 further avers:

24 The evidence that United States relies upon is set forth in the Proof of Claim filed in this Court.
25 The United States further relies upon and incorporates by reference all publicly available reports and
26 information from Cal FIRE and CPUC concerning the Butte Fire, Camp Fire, 2017 Northern California
27 Wildfires, or any other wildfire at issue in FEMA’s Proof of Claims.

1 The United States further notes that on November 8, 2018, the Camp Fire started in Butte
2 County. That same day, the Governor of California requested a federal emergency declaration under
3 section 501 of the Stafford Act, 42 U.S.C. §§ 5121 *et seq.* On November 9, 2018, the President issued
4 an emergency declaration under the Stafford Act (FEMA-3409-EM-CA) for the State of California for
5 three wildfires in the state, including the Camp Fire. On November 11, 2018, the Governor requested a
6 major disaster declaration under section 401 of the Stafford Act for this wildfire event. The President
7 issued a major disaster declaration under the Stafford Act on November 12, 2018 (FEMA-4407-DR-
8 CA). The destruction caused by the Camp Fire was unprecedented and left millions of tons of debris in
9 its wake. According to Cal FIRE, the Camp Fire alone destroyed more than 18,000 structures, burned a
10 total of 153,336 acres, and resulted in 85 civilian fatalities and several firefighter injuries. Cal FIRE
11 News Release, *CAL FIRE Investigators Determine Cause of the Camp Fire* (May 15, 2019).

12 Cal FIRE investigators determined that electrical transmission lines, owned and operated by
13 PG&E, located in the Pulga area caused the Camp Fire. *Id.* The investigation also identified a second
14 fire ignition site, which was also caused by electrical distribution lines owned and operated by PG&E.
15 This second fire was consumed by the first. *Id.* The second ignition site was determined to be caused
16 by vegetation contact with electrical distribution lines owned by PG&E. *Id.* The Camp Fire burned a
17 total of 153,336 acres, destroying 18,804 structures and resulting in 85 civilian fatalities and several
18 firefighter injuries. *Id.* Cal FIRE forwarded this investigative report to the Butte County District
19 Attorney. *Id.*

20 The Camp Fire is one of several major fires that Cal FIRE has linked to PG&E equipment in the
21 last four years. FEMA maintains that these wildfires were a result of safety issues and omissions or
22 violations of law by PG&E.

23 As related in the facts above, PG&E omitted to 1) conduct critically necessary repairs, 2) timely
24 respond to safety issues, 3) manage risk effectively and 4) adequately maintain poles and attachments.
25 Moreover, PG&E's actions and omissions were intentional under Section 317 of the Stafford Act,
26 because PG&E actively and blatantly disregarded that such an omission was reasonably likely to cause a
27 condition for which FEMA assistance would be required. Specifically PG&E knew that failure take
28 action could cause or spread a wildfire causing serious and widespread injury, and still PG&E omitted to

1 act. Instead, PG&E chose to allocate huge sums of money to other causes, taking resources away from
2 acting on these omissions rather than fulfilling their duties. That PG&E's omission was intentional is
3 further demonstrated through the affirmative acts it took to aid its omission – misleading regulators,
4 withholding critical data, and hindering investigations in the years leading up to the Camp Fire.

5 **3. Identify all evidence that FEMA had identified as of the Filing Date that indicates**
6 **the Debtor intentionally caused the 2017 Northern California Wildfires.**

7 RESPONSE: The United States objects to the undefined term “intentionally caused” as vague
8 and ambiguous. To the extent that the TCC is using the term “intentionally caused” as the term
9 “intentionally causes” is used in Section 317 of the Stafford Act, 42 U.S.C. § 5160(a), the United States
10 further notes that the issue of the elements of a claim under Section 317 of the Stafford Act is currently
11 being addressed in the context of the TCC Claim Objection. The United States will file its response at
12 the appropriate time.

13 Subject to and without waiving the foregoing specific objections and General Objections, the
14 United States incorporates by reference its responses to Interrogatories Number 1 and 2, and further
15 avers:

16 The evidence that United States relies upon is set forth in the Proof of Claim filed in this Court.
17 The United States further relies upon and incorporates by reference all publicly available reports and
18 information from Cal FIRE and CPUC concerning the Butte Fire, Camp Fire, 2017 Northern California
19 Wildfires, or any other wildfire at issue in FEMA's Proof of Claims.

20 On October 8-10, 2017, over a dozen wildfires that became known as the “2017 Northern
21 California Wildfires” started in Butte, Lake, Mendocino, Napa, Nevada, Solano, Sonoma, and Yuba
22 Counties, California. On October 9, 2017, the Governor of California requested a federal major disaster
23 declaration under section 401 of the Stafford Act asserting to the President that the State of California
24 was overwhelmed and in need of supplementary federal assistance for debris removal, emergency
25 protective measures, repair and replacement of public infrastructure, and assistance to individuals
26 impacted by the fires. The President on October 10, 2017 determined the 2017 Northern California
27 Wildfires were beyond state and local capability and issued a major disaster declaration, (FEMA-4344-
28 DR-CA), authorizing FEMA to provide Public Assistance for Butte, Lake, Mendocino, Napa, Nevada,

1 Sonoma, and Yuba Counties. On October 12, 2017, the major disaster declaration was amended to
2 authorize Individual Assistance for Sonoma County. From October 13-15, 2017, the major disaster
3 declaration was amended three more times to authorize Public Assistance for Solano County and
4 Individual Assistance for Butte, Lake, Mendocino, Napa, Nevada, and Yuba Counties. On November
5 28, 2017, the major disaster declaration was further amended to authorize additional categories of Public
6 Assistance for Butte, Lake, Mendocino, Napa, Sonoma, and Yuba Counties.

7 All wildfires that occurred in the declared counties during the incident period of October 8- 31,
8 2017 are included in the major disaster declaration FEMA-4344-DR-CA. These wildfires include, but
9 are not limited to: 37 Fire; Adobe Fire; Atlas Fire; Cascade Fire; Cherokee Fire; Honey Fire; La Porte
10 Fire; Lobo Fire; McCourtney Fire; Norrbom Fire; Nuns Fire; Partrick Fire; Pocket Fire; Potter Valley
11 Fire; Pythian Fire; Redwood Fire; Sulphur Fire; and Tubbs Fire (referred to collectively as the “2017
12 Northern California Wildfires”).

13 Cal FIRE investigators linked electrical transmission lines owned and operated by PG&E to the
14 37 Fire, Adobe Fire, Atlas Fire, Cherokee Fire, Norrbom Fire, Nuns Fire, Partrick Fire, Pocket Fire,
15 Potter Valley Fire, Pythian Fire, Sulphur Fire, and Redwood Fire. Cal FIRE News Release, *CAL FIRE*
16 *Investigators Determine Causes of 12 Wildfires in Mendocino, Humboldt, Butte, Sonoma, Lake, and*
17 *Napa Counties* (June 8, 2018). Cal FIRE forwarded their investigative report to the County District
18 Attorneys for potential prosecution for eight of these fires. *Id.* Cal FIRE investigators also linked
19 electrical transmission lines owned and operated by PG&E to the Honey Fire, La Porte Fire, Lobo Fire,
20 and McCourtney Fire. Cal FIRE News Release, *CAL FIRE Investigators Determine Cause of Four*
21 *Wildfires in Butte and Nevada Counties* (May 25, 2018). Cal FIRE forwarded their investigative report
22 to the County District Attorneys for potential prosecution for three of these fires. *Id.* Cal FIRE
23 investigators also linked electrical transmission lines owned and operated by the Debtor to the Cascade
24 Fire. Cal FIRE News Release, *CAL FIRE Investigators Determine Cause of the Cascade Fire* (October
25 8, 2018). FEMA maintains that the above enumerated wildfires were a result of safety issues and
26 intentional acts and/or omissions or violations of law by PG&E.

27 The destruction caused by the 2017 Northern California Wildfires was unprecedented at the time.
28 It affected tens of thousands of people, and left millions of tons of debris in its wake. According to the

1 California Department of Forestry and Fire Protection (Cal FIRE), the 2017 Northern California
2 Wildfires destroyed 8,585 structures, burned a total of 175,337 acres, and resulted in 42 civilian
3 fatalities and several firefighter injuries. Cal FIRE News Release, *CAL FIRE Investigators Determine*
4 *Causes of 12 Wildfires in Mendocino, Humboldt, Butte, Sonoma, Lake, and Napa Counties* (June 8,
5 2018).

6 As related in the facts above, PG&E omitted to 1) conduct critically necessary repairs, 2) timely
7 respond to safety issues, 3) manage risk effectively and 4) adequately maintain poles and attachments.
8 Moreover, PG&E's actions and omissions were intentional under Section 317 of the Stafford Act,
9 because PG&E actively and blatantly disregarded that such an omission was reasonably likely to cause a
10 condition for which FEMA assistance would be required. Specifically PG&E knew that failure take
11 action could cause or spread a wildfire causing serious and widespread injury, and still PG&E omitted to
12 act. Instead, PG&E chose to allocate huge sums of money to other causes, taking resources away from
13 acting on these omissions rather than fulfilling their duties. That PG&E's omission was intentional is
14 further demonstrated through the affirmative acts it took to aid its omission – misleading regulators,
15 withholding critical data, and hindering investigations in the years leading up to the 2017 Northern
16 California Wildfires.

17 **4. Identify the condition that resulted in the Butte Fire Declaration.**

18 RESPONSE: The United States objects to the undefined term “the condition” as vague
19 and ambiguous. Subject to and without waiving the foregoing specific and General Objections, the
20 United States incorporates by reference its responses to the previous Interrogatories, and further avers
21 that to the extent the TCC is asking what events led to the Butte Fire Declaration, the United States
22 responds that PG&E created the condition leading to the Butte Fire and the Butte Fire Declaration

23 **5. Identify the condition that resulted in the Camp Fire Declaration.**

24 RESPONSE: The United States objects to the undefined term “the condition” as vague
25 and ambiguous. Subject to and without waiving the foregoing specific and General Objections, the
26 United States incorporates by reference its responses to the previous Interrogatories, and further avers
27 that to the extent the TCC is asking what events led to the Camp Fire Declaration, the United States
28 responds that PG&E created the condition leading to the Camp Fire and the Camp Fire Declaration

1 **6. Identify the condition that resulted in the North Bay Fires Declaration.**

2 RESPONSE: The United States objects to the undefined term “the condition” as vague and
3 ambiguous. Subject to and without waiving the foregoing specific and General Objections, the United
4 States incorporates by reference its responses to the previous Interrogatories, and further avers that to the
5 extent the TCC is asking what events led to the North Bay Fire Declaration, the United States responds
6 that PG&E created the condition leading to the North Bay Fires and the North Bay Fires Declarations.

7 **7. Identify all amounts included in FEMA claims that constitute commitments made**
8 **by FEMA to advance funds after the Filing Date.**

9 RESPONSE: The United States objects to the undefined term “constitute commitments” as
10 vague and ambiguous. The United States further objects because the information sought is not at all
11 relevant to any claim or defense in the case and disproportionate to the needs of the case. To identify
12 “all amounts” would require the United States to compile, summarize, index, research or otherwise
13 analyze voluminous information regarding all payments for a particular claim. The United States does
14 not organize its records or files of federal spending in this manner. The burden of responding to this
15 Interrogatory would thus greatly outweigh the minimal relevance of the information sought to the claims
16 and defenses at issue in this case.

17 Subject to and without waiving the foregoing specific objections and General Objections, the
18 United States directs the TCC to the Proof of Claims that FEMA filed in this Court as well as
19 supplementary materials that provide further support for these claims that FEMA is voluntarily
20 producing to the TCC.

21 **8. Identify the persons employed by FEMA who have the most knowledge regarding**
22 **the factual basis for the Butte Fire Claim.**

23 RESPONSE: The United States objects to the Interrogatory because it is so broad as to time and
24 scope as to be oppressive. The destruction caused by the Butte Fire affected thousands of people and
25 left hundreds of thousands of tons of debris in its wake. According to the Cal Fire, the Butte Fire
26 destroyed 965 structures, burned a total of 70,868 acres, and resulted in deaths and injuries. FEMA has
27 incurred significant costs to provide assistance to individuals, state and local governments and private
28 non-profits for their expenses and losses resulting from the Butte Fire. To individuals FEMA has

1 provided financial grants for housing repair, rental and other unmet, disaster-caused needs, and
2 manufactured housing units for temporary housing. To the state and local governments FEMA has
3 provided direct federal assistance which includes goods and services for debris removal activities and
4 emergency medical response and financial grants for debris removal, firefighting and the repair and
5 replacement of public infrastructure damaged by the fire. To certain non-profits FEMA has provided
6 financial grants for the repair and replacement of facilities damaged by the fire. In addition, FEMA
7 incurred significant expenses in coordinating, distributing, and overseeing this assistance. As a result,
8 numerous individuals and a huge number of hours worked are involved in FEMA's claims and no one
9 individual or identifiable group of individuals who can speak to all aspects of the "factual basis for the
10 Butte Fire Claim." The burden of responding to this Interrogatory would thus greatly outweigh, and be
11 disproportionate to, the minimal relevance of the information sought to the claims and defenses at issue
12 in this case.

13 Subject to and without waiving the foregoing specific objections and General Objections, John
14 Paul Henderson, Regional Counsel, FEMA Region IX, is the person employed by FEMA with the most
15 knowledge regarding the factual basis for costs and expenses relating to the Butte Fire Claim.

16 **9. Identify the persons employed by FEMA who have the most knowledge regarding**
17 **the factual basis for the Camp Fire Claim.**

18 RESPONSE: The United States objects to the Interrogatory because it is so broad as to time and
19 scope as to be oppressive. The destruction caused by the Camp Fire affected thousands of people and
20 left hundreds of thousands of tons of debris in its wake. The Camp Fire burned a total of 153,336 acres,
21 destroying 18,804 structures and resulting in 85 civilian fatalities and several firefighter injuries. FEMA
22 has incurred significant costs to provide assistance to individuals, state and local governments and
23 private non-profits for their expenses and losses resulting from the Camp Fire. To individuals FEMA
24 has provided financial grants for housing repair, rental and other unmet, disaster-caused needs, and
25 manufactured housing units for temporary housing. To the state and local governments FEMA has
26 provided direct federal assistance which includes goods and services for debris removal activities and
27 emergency medical response and financial grants for debris removal, firefighting and the repair and
28 replacement of public infrastructure damaged by the fire. To certain non-profits FEMA has provided

1 financial grants for the repair and replacement of facilities damaged by the fire. In addition, FEMA
2 incurred significant expenses in coordinating, distributing, and overseeing this assistance. As a result,
3 numerous individuals and a huge number of hours worked are involved in FEMA's claims and no one
4 individual or identifiable group of individuals who can speak to all aspects of the "factual basis for the
5 Camp Fire Claim." The burden of responding to this Interrogatory would thus greatly outweigh, and be
6 disproportionate to, the minimal relevance of the information sought to the claims and defenses at issue
7 in this case.

8 Subject to and without waiving the foregoing specific objections and General Objections, John
9 Paul Henderson, Regional Counsel, FEMA Region IX, is the person employed by FEMA with the most
10 knowledge regarding the factual basis for the costs and expenses relating to the Camp Fire Claim.

11 **10. Identify the persons employed by FEMA who have the most knowledge regarding**
12 **the factual basis for the North Bay Fires Claim.**

13 RESPONSE: The United States objects to the Interrogatory because it is so broad as to time and
14 scope as to be oppressive. The destruction caused by the North Bay Fires affected thousands of people
15 and left hundreds of thousands of tons of debris in its wake. According to Cal FIRE, the 2017 Northern
16 California Wildfires destroyed 8,585 structures, burned a total of 175,337 acres, and resulted in 42
17 civilian fatalities and several firefighter injuries. Cal FIRE News Release, CAL FIRE Investigators
18 Determine Causes of 12 Wildfires in Mendocino, Humboldt, Butte, Sonoma, Lake, and Napa Counties
19 (June 8, 2018). FEMA has incurred significant costs to provide assistance to individuals, state and local
20 governments. FEMA has incurred significant costs to provide assistance to individuals, state and local
21 governments and private non-profits for their expenses and losses resulting from the North Bay Fires.
22 To individuals FEMA has provided financial grants for housing repair, rental and other unmet, disaster-
23 caused needs, and manufactured housing units for temporary housing. To the state and local
24 governments FEMA has provided direct federal assistance which includes goods and services for debris
25 removal activities and emergency medical response and financial grants for debris removal, firefighting
26 and the repair and replacement of public infrastructure damaged by the fire. To certain non-profits
27 FEMA has provided financial grants for the repair and replacement of facilities damaged by the fire. In
28 addition, FEMA incurred significant expenses in coordinating, distributing, and overseeing this

1 assistance. As a result, numerous individuals and a huge number of hours worked are involved in
2 FEMA's claims and no one individual or identifiable group of individuals who can speak to all aspects
3 of the "factual basis for the North Bay Fires Claim." The burden of responding to this Interrogatory
4 would thus greatly outweigh, and be disproportionate to, the minimal relevance of the information
5 sought to the claims and defenses at issue in this case.

6 Subject to and without waiving the foregoing specific objections and General Objections, John
7 Paul Henderson, Regional Counsel, FEMA Region IX, is the person employed by FEMA with the most
8 knowledge regarding the factual basis for the costs and expenses relating to the North Bay Fires Claims.

9 **11. Identify each Government Agency that FEMA may seek to hold liable under 42**
10 **U.S.C. § 5155(c) for costs incurred by FEMA in connection with the Wildfires and the maximum**
11 **amount of such liability.**

12 RESPONSE: The United States objects to this Interrogatory because the information sought
13 is not at all relevant to FEMA's claims against PG&E or any valid defense and is disproportionate to the
14 needs of the case. The issue before the Court are FEMA's claims *against the Debtors*. Whether FEMA
15 has additional claims for recovery for duplication of benefits pursuant to 42 U.S.C. § 5155 are not
16 relevant to FEMA's claims against Debtors or any valid defense. Even if such fact could somehow be
17 considered relevant at all, the costs to ascertain an answer is disproportionate to the dubious value of the
18 information sought.

19 Subject to and without waiving the foregoing specific objections and General Objections, the
20 United States directs the TCC to the Proof of Claims that FEMA filed in this Court, which list the Public
21 Entities and Government Agencies to which FEMA provided benefits, as well as supplementary
22 materials the United States is providing in further support of these claims in response to the TCC's
23 Requests for Production.

24 **12. For each Government Agency that FEMA may seek to hold liable under 42 U.S.C. §**
25 **5155(c) for costs incurred by FEMA in connection with the Wildfires, identify the basis for**
26 **liability and the nature of the assistance provided by FEMA to such Government Agency.**

27 RESPONSE: The United States objects to this Interrogatory because the information sought
28

1 is not at all relevant to FEMA's claims against PG&E or any valid defense and is disproportionate to the
2 needs of the case. The issue before the Court are FEMA's claims *against the Debtors*. Whether FEMA
3 has additional claims for recovery for duplication of benefits pursuant to 42 U.S.C. § 5155 are not
4 relevant to FEMA's claims against Debtors or any valid defense. Even if such fact could somehow be
5 considered relevant at all, the costs to ascertain an answer is disproportionate to the dubious value of the
6 information sought.

7 Subject to and without waiving the foregoing specific objections and General Objections, the
8 United States directs the TCC to the Proof of Claims that FEMA filed in this Court, which list the Public
9 Entities and Government Agencies to which FEMA provided benefits and provide information on the
10 type of benefits provided, as well as supplementary materials the United States is voluntarily providing
11 in further support of these claims.

12 With respect to the basis for liability, one potential basis would be a claim under 24 U.S.C. §
13 5155 for reimbursement of duplicative benefits. But it is not possible to enumerate all possible bases for
14 liability for future claims that have not yet been asserted. Such a determination would depend on the
15 specific facts of an individual case and claim.

16 **13. Identify each Public Entities that FEMA may seek to hold liable under 42 U.S.C. §**
17 **5155(c) for costs incurred by FEMA in connection with the Wildfires and the maximum amount of**
18 **such liability.**

19 RESPONSE: The United States objects to this Interrogatory because the information sought
20 is not at all relevant to FEMA's claims against PG&E or any valid defense and is disproportionate to the
21 needs of the case. The issue before the Court are FEMA's claims *against the Debtors*. Whether FEMA
22 has additional claims for recovery for duplication of benefits pursuant to 42 U.S.C. § 5155 are not
23 relevant to FEMA's claims against Debtors or any valid defense. Even if such fact could somehow be
24 considered relevant at all, the costs to ascertain an answer is disproportionate to the dubious value of the
25 information sought.

26 Subject to and without waiving the foregoing specific objections and General Objections, the
27 United States directs the TCC to the Proof of Claims that FEMA filed in this Court, which list the Public
28 Entities and Government Agencies to which FEMA provided benefits, as well as supplementary

1 materials the United States is providing in further support of these claims in response to the TCC's
2 Requests for Production.

3 **14. For each Public Entity that FEMA may seek to hold liable under 42 U.S.C. § 5155(c)**
4 **for costs incurred by FEMA in connection with the Wildfires, identify the basis for liability and**
5 **the nature of the assistance provided by FEMA to such Public Entity.**

6 RESPONSE: The United States objects to this Interrogatory because the information sought
7 is not at all relevant to FEMA's claims against PG&E or any valid defense and is disproportionate to the
8 needs of the case. The issue before the Court are FEMA's claims *against the Debtors*. Whether FEMA
9 has additional claims for recovery for duplication of benefits pursuant to 42 U.S.C. § 5155 are not
10 relevant to FEMA's claims against Debtors or any valid defense. Even if such fact could somehow be
11 considered relevant at all, the costs to ascertain an answer is disproportionate to the dubious value of the
12 information sought.

13 Subject to and without waiving the foregoing specific objections and General Objections, the
14 United States directs the TCC to the Proof of Claims that FEMA filed in this Court, which list the Public
15 Entities and Government Agencies to which FEMA provided benefits and provide information on the
16 type of benefits provided, as well as supplementary materials the United States is providing in further
17 support of these claims in response to the TCC's Requests for Production.

18 With respect to the basis for liability, one potential basis would be a claim under 42 U.S.C. §
19 5155 for reimbursement of duplicative benefits. But it is not possible to enumerate all possible bases for
20 liability for future claims that have not yet been asserted. Such a determination would depend on the
21 specific facts of an individual case and claim.

22 **15. Identify all sources of recovery available to FEMA to recover costs incurred by**
23 **FEMA in connection with Wildfires other than FEMA's claims against the Debtor.**

24 RESPONSE: The United States objects to this Interrogatory because the information sought
25 is not at all relevant to FEMA's claims against PG&E or any valid defense and is disproportionate to the
26 needs of the case. The issue before the Court are FEMA's claims *against the Debtors*. Whether FEMA
27 has additional claims for recovery for duplication of benefits pursuant to 42 U.S.C. § 5155 are not
28 relevant to FEMA's claims against Debtors or any valid defense. Even if such fact could somehow be

1 considered relevant at all, the costs to ascertain an answer is disproportionate to the dubious value of the
2 information sought.

3 Subject to and without waiving the foregoing specific objections and General Objections, FEMA
4 notes one potential basis would be a claim under 42 U.S.C. § 5155 for reimbursement of duplicative
5 benefits. But it is not possible to enumerate all possible bases for liability for future claims that have not
6 yet been asserted. Such a determination would depend on the specific facts of an individual case and
7 claim.

8
9 DATE: January 21, 2020

10
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VERIFICATION

I am the Regional Administrator for Region IX of the Federal Emergency Management Agency, and my office has responsibility for the matters set forth in the Official Committee of Tort Claimants Objections to FEMA's Proofs of Claims in the above-captioned matter. I have reviewed the contents of the foregoing responses. The information provided in the responses is based on FEMA's records and/or has been supplied by attorneys for FEMA or other FEMA personnel and/or compiled from available documents and is provided as required by law. To the best of my knowledge and belief, I believe that the facts stated in these responses are true. I make this verification pursuant to 28 U.S.C. § 1746.

Executed on January 21, 2020



Robert Fenton
Regional Administrator for Region IX
Federal Emergency Management Agency